

Public Notice

U.S. Army Corps of Engineers Pittsburgh District

In Reply Refer to Notice No. below US Army Corps of Engineers, Pittsburgh District 1000 Liberty Avenue Pittsburgh, PA 15222-4186

Application No. 200501122

Date: August 4, 2006

Notice No. 06-33

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act (33 U.S.C.

Closing Date: August 24, 2006

1344).

2. APPLICANT:

Dominion Transmission, Inc.

445 West Main Street Clarksburg, WV 26301

3. <u>LOCATION</u>: in tributaries to the Allegheny and Genesee Rivers and adjacent wetlands, in Genesee, Oswayo, and Sharon Townships, Potter County, Pennsylvania.

PURPOSE AND DESCRIPTION OF WORK: The Cove Point Expansion Project, TL-536, proposes to construct the TL-536 natural gas pipeline consisting of 9.5 miles of 20-inch pipeline starting at the State Line Compressor Station, located in Genesee Township, Potter County and terminating at the Sharon Storage Pool in Sharon Township, Potter County. The new TL-536 pipeline will be installed approximately 25 feet from an existing 12-inch pipeline and will parallel the existing line for its entire 9.5 mile-length. The new pipeline will require a permanent 50 foot wide maintenance right-of-way (ROW) and an additional 25 foot ROW will be required for temporary construction work space. The project includes 10 stream crossings including the mainstem and tributaries of Orebed Creek, Redwater Creek, Button Hollow Creek and Butter Creek. There will be no permanent stream impacts resulting from the project. The project will temporarily impact 11.22 acres of wetlands located within the construction 75-foot wide ROW consisting of 6.59 acres of emergent wetlands; 2.37 acres of emergent/openwater wetlands; and 2.14 acres of emergent/forested/openwater wetland complex. The project will result in permanent impacts to 2.14 acres of wetland resulting from the conversion of forested and shrub/scrub wetlands to emergent wetlands located within the maintenance ROW and 0.12 acres of emergent wetland impacted by an access road. standard 50 foot maintenance ROW will be reduced to 10 feet within wetland areas and stream zones where possible and up to 35 feet where required for safety and security concerns.

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Proposed compensatory mitigation is the purchase of 45.74 acres of balsam fir wetland and upland buffer adjacent to State Game Land (SGL) 301, located in Eldred Township, McKean County, Pennsylvania. The parcel, located within the Allegheny River floodplain, will be transferred to the Pennsylvania Game Commission and incorporated into SGL 301. A conservation easement is proposed for 35.11 acres including 12.4 acres of forested wetland, 0.16 acres of shrub/scrub wetland, 0.80 acres of emergent wetland, and 21.75 acres of adjacent uplands. Drawings of the proposed project are attached to this notice.

5. <u>ENCROACHMENT PERMIT</u>: The applicant is required to obtain an encroachment permit which includes State 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection Northcentral Regional Office 208 West Third Street, Suite 101 Williamsport, Pennsylvania 17701-6448 Telephone: (570) 327-3574

- 6. IMPACT ON NATURAL RESOURCES: In correspondence dated July 7, 2004, the U.S. Fish and Wildlife Service indicated that no Federally listed or proposed threatened or endangered species are known to occur within the project impact area. This Public Notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).
- IMPACT ON CULTURAL RESOURCES: On March 7, 2005, the final Phase I cultural resources survey report prepared for the proposed project was submitted to the Pennsylvania Historical and Museum Commission, Bureau for Historic preservation, for their review and acceptance. In a telephone communication with GAI Consultants, agent for the applicant, the Seneca Nation of Indians Tribal Historic Preservation Office, requested that archaeological monitors be present during pipeline construction along archaeologically sensitive portions of the project area. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

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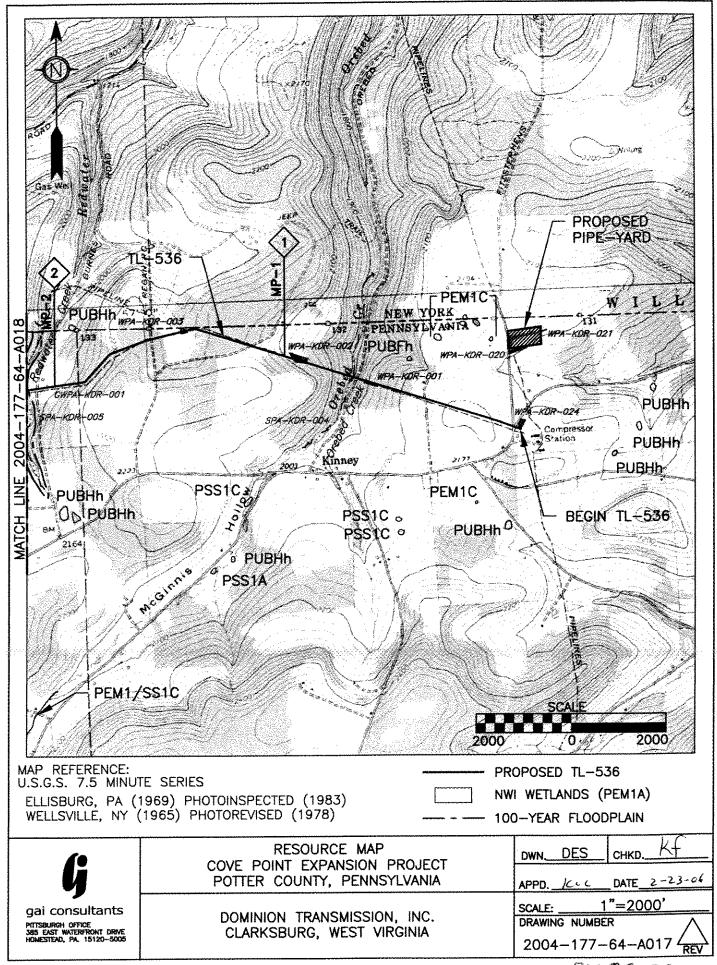
- 8. <u>PUBLIC INVOLVEMENT</u>: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.
- EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important The benefit which reasonably may be expected to resources. accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).
- 10. <u>RESPONSES</u>: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible

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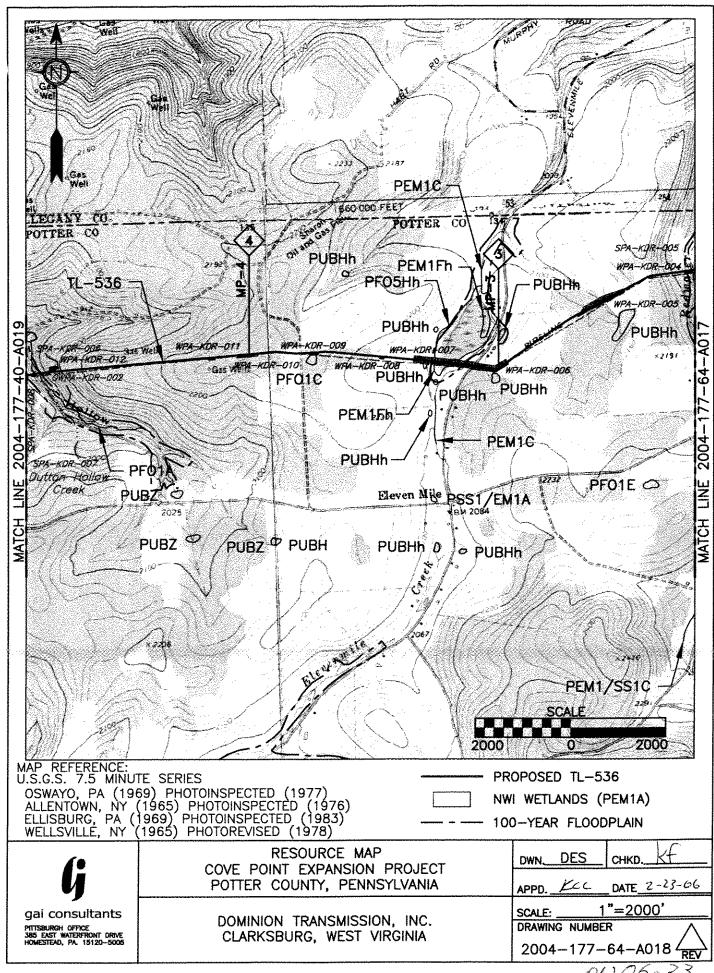
resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Marcia H. Haberman, at the above address, by telephoning (412) 395-7361, or by e-mail at Marcia.H.Haberman@usace.army.mil. Please refer to CELRP-OP-F 200501122 in all responses.

FOR THE DISTRICT ENGINEER:

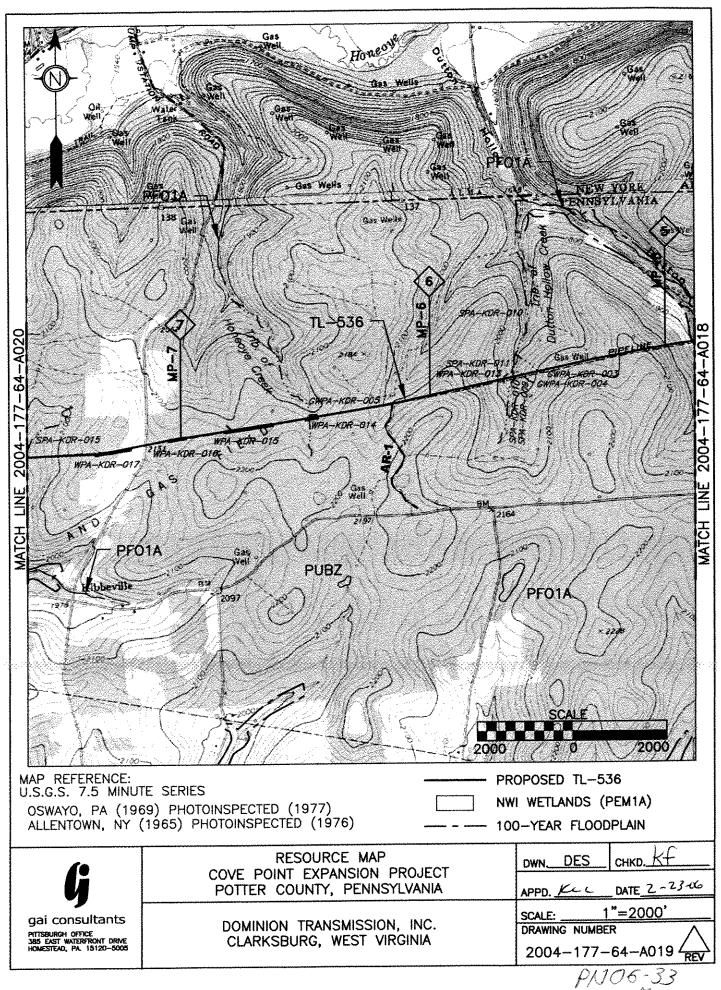
Michael J. Cummings, Jr. Chief, Regulatory Branch

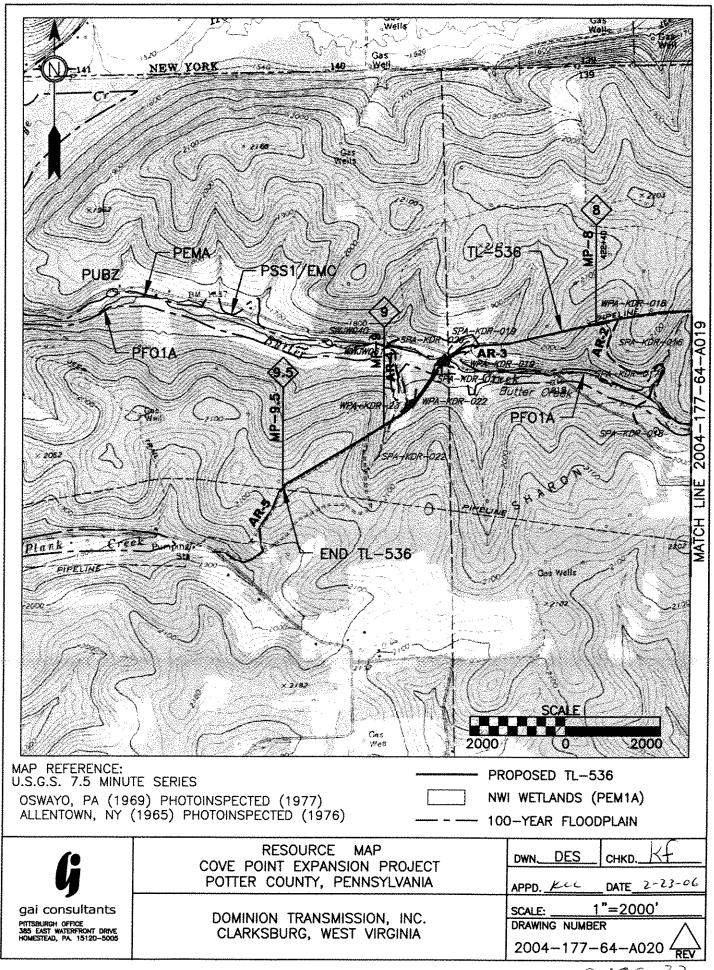


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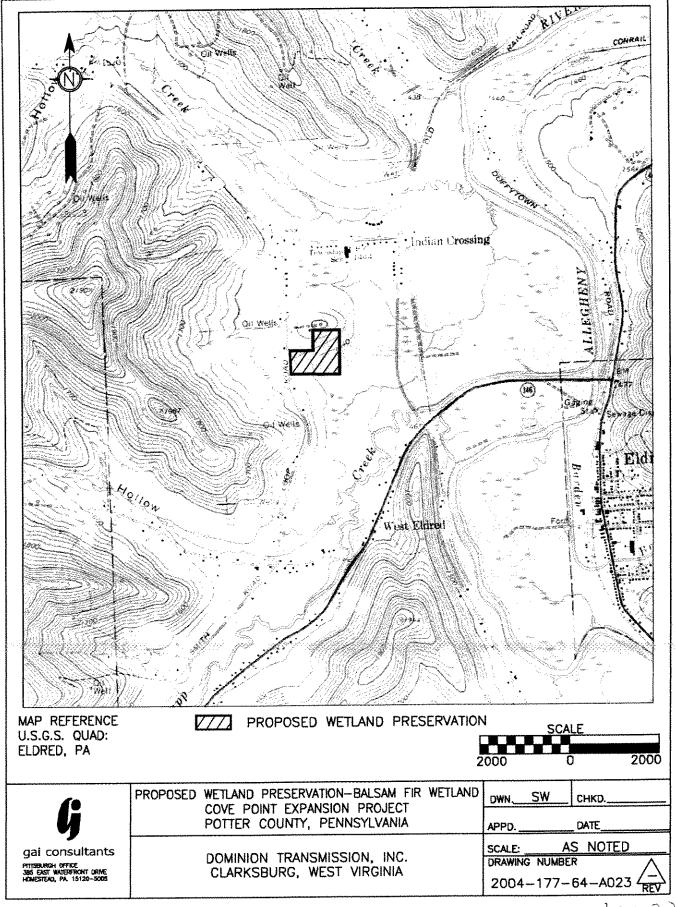


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Table 1

COVE POINT EXPANSION PROJECT WATERBODY CROSSING DATA POTTER COUNTY, PENNSYLVANIA, DOMINION TRANSMISSION, INC.

These construction techniques are for dry crossings: A - Dam and pump method; B - Flume Pipe Method; C - Coffedams; D - Horbonisal Direction 0:18; E - Temporary Access Road Stresm Crossings,

Intermediate streams, racre than 10 feet and equal to or less than 100 feet wide, and major streams, more than 100 feet in width, will be crosped using the well trench method as a contingency plan for welfers other than special protection or wild truly streams.

Unnamed tributaries take on ATM or WTM PFBC describorators if they are less than one-quarter-mile from a PFBC listed WTM or ATM per J.R. Holmaniev of PFBC.

The stream is within the ROW, but is not crossed by the centerline; therefore, there will still be an area of disturbance. The stream width is in parentheses.

SPA-KDR-019 crosses the proposed centerfine twice, but only one linear disturbance and area of disturbance was coloulated. Please rate to the first crossing of SPA-KDR-019 for but the linear disturbance and area of disturbance.

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Table 2

COVE POINT EXPANSION PROJECT WETLAND CROSSING DATA POTTER COUNTY, PENNSYLVANIA DOMINION TRANSMISSION, INC.

190-W-W-AM	Wat-WES-002	WO AT DO	WWW EDG 054	NOT SOLVE THE	scored a very	WPA-KDR-199	WPA-KDR-019	WPA-KDR-018	WPA-KDR-017	WPA-KDR-016	WPA-KDR-016	WPA-KDR-014	WPA-KDR-013	WPA-KOR-012	WPA-KDR-011	WPA-KDR-010	SOO-MOX-WAM	WYA-KUK-008	ADD-MON-WAYA	900-NUN-AW	WPA-KDK-005	WPA-KUR-004	WPA-KDR-003	WPA-KDR-002	WFA-KUR-001	WPA-KDR-024	ROW Crossings	Wetland ID'
41. 59. 3.40.	41. 58. 35.7	43. 58. 50,44-	4: 08 4/.00	74 60 01.70	4+* 62' 53 40"	41+ 52' 55 90"	41° 58' 50 A7"	41" 59" 6.74"	41* 59' 8.86"	41* 59' 10.94*	41" 69" 12.57"	41* 59' 14.41*	41* 59' 20.36*	41" 59" 27.96"	41" 59" 28.69"	41* 59' 29.11*	41" 59" 28.96"	41" 58" 27.50"	41 88 28.23	41" 59 24.52"	41" 59" 37.66"	41" 58" 43.11"	41" 58" 54.34"	41* 58' 47.55*	41" 59" 41.88"	41" 59" 32.34"	**************************************	Latitude (Deg.Min.Sec.)
-78* 5' 37.47"	-78° 6' 10.0°	-17" 55" 42.70"	-17 55 43.51	70 0 3531	700 El 94 94	78* 5' 25 76*	-78° K' 22 24"	-78° 4' 37.72"	-78° 3' 48.91"	-78° 3' 30.95°	-78" 3" 11,36"	-78* 2' 53,44*	-78° 2' 0.02°	-78° 0' 59.10°	-78° 0' 15.03	-78° 0' 4.67°	-77" 59" 46.46"	-77 59 27.84	-777 88 11.84°	-77" 58" 58.08"	-77" 58" 26.77"	-77* 58' 1.25"	-77* 57' 16.27	-77" 56" 44,59"	-77" 56" 24.76"	-77" 55" 43.42"		Longitude (Dag.Min.Sec.)
19.87 / 12.74	18.5/13.98	22,24 / 7.32	22.18 / 7.32	8.21.187.81	12.00 16.41	40 88 /40 47	10.73 (13.18	20.04 / 10.47	20.21 / 8.60	20.28 / 7.95	20.26 / 7.25	20.37 / 8.54	20.75 / 4.52	21.02 / 2.22	21.12 / 0.56	21.17/0.19	21,19 / 16,48	21.01 / 15.76	20.97 / 15.10	20,91 / 14,62	21.81/13.46	21.88 / 12.46	22.46 / 10.80	22.10/9.62	21.84 / 8.86	21,33 / 7,30		inches (Up and Over)
AR.4	State Line Station	Pipeyard	Pipeyard	8.84	80.6	9,03	5 64	7.85	7.18	6.98	6.63	6.44	5.68	4.77	4.13	3.86	3.72	3.46	3.12	2.96	2.41	2,12	1,41	0.91	0.61	0.01		Location
Oswayo	Oswayo	Ellisburg	Elilsburg	Oswayo	Uswayo	Oswayo	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Oswavo	Oswayo	Оѕжауо	Onwayo	Oswayo	Oswayo	Oswayo	Oswayo	Oswayo	Ellisburg	Elisburg	Charte	Ellsburg	Cilebrata)	Ellisburg	Ellisburg	Ellisburg	Ellisburg	Ellisburg		USGS Quadrangle
Patato-Oswago Creeks	Potato-Oswago Craeks	Genesee River	Genesse River	Potato-Oswago Creeks	Potato-Oswago Creeks	Polato-Uswago Creeks	COOC OF THE PARTY 1	Potato-Dawago Cyanka	Potato-Oswago Creeks	Potato-Oswago Craeks	Poteto-Ceuego Creete	Potato-Oswago Creeks	Genesea River	Genesee River	Constant Toyer	Gestagee River	Governmen Physics	Geneses Niver	Genesee River	Genesee River	Genesee River	Geneses River		Watershed				
PEM	PEM	PEM	PEM	PEM/POW	PEM	PEM	£ E.M.	DEM	DEN.	Mad	2	PEMPFO	Mad	OJdW3d	PEM	PEM	PEM	MEM	PEMPON	PEM	MONONIMES	PEW	PEM	Mad	PEM	PEM/PFO		NWt Classification
₹	No	No	№ .	No	No	No	NG	2	No.	No	*	No	No	Š	₹	No	No	No.	*	No.	*	₹	₹	No	₹	₹5		> 40 Acres
Not Crossed	Not Crossed	Not Crossed	Not Crossed	101	176	214	270	964	705	239	5	230	17	Not Crossed	128	390	150	42	1,070	778	i pag	34	135	320	210	Not Crossed		Linear
0,12	0.00	0.00	0	0.29	0.68	0.7	62.0	0.00	0.83	25.0	111	0.37	0.01	0.05	0.11	0.35	0.13	0.06	2.08	1.3	147	0.03	0.18	0,5	0.17	0.05) Social Grandi	Area Affected During
9.12	0	0		0.02	0.04	0.06	0.06	5.15	24.7	3 27	9.24	0.05	<0.018	0.00	0.03	0.09	0,03	0.01	0.28	0.18	0.24	0.01	0.03	0.14	0.14	0.00	During Operation	Area Affected

Notes

GAI designation.

The processed construction ROW width is 75 feet. The affected wetland area calculations are based on a polygonal shape, not linear. The linear disturbance at the pipeline is the actual width of the polygonal shape in the ROW. If the polygon wetland area encompasses the entire 75-foot construction ROW is used to calculate temporary wetland impacts.

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Table 4

COVE POINT EXPANSION PROJECT TL-536 SECTION 5 DETERMINATION OF APPLICATION FEES POTTER COUNTY, PENNSYLVANIA, DOMINION TRANSMISSION, INC.

Stream ID	Stream Name		Location	Stream Type	Stream Classification	Trout'	Approved Trout ¹	EV Stream (ves/no)	Chapter 105/ GP Applicable
ROW Crossings					***************************************	All some section of the section of t			
SPA-KDR-004	6 Orebed Creek		0.71	Perennial	CWF	₹	No	No	£5.
GWPA-KDR-001	G Seep ∫ ¶ ¥		2	Intermittent	Not Classified	Z o	No.	No.	2 P.S
SPA-KDR-005	ら Redwater Creek の へ		2.13	Perennial	CWF	No	No	No	GP5
GWPA-KDR-002	6 Seep ₹		4.8	Intermittent	Not Classified	No	8	No	GP5
SPA-KDR-007	₽ /0 Dutton Hollow Creek		4.85	Perennial	CWF	No	No	No	GP5
SPA-KDR-008	Unnamed Tributary to Dutton Hollow Creek		4.9	Intermittent	CWF	No	No	S	GP5
GWPA-KDR-003	Spring	2	5.53	Intermittent	Not Classified	Š	8	No	GP5
GWPA-KDR-004	Spring		5.6	Intermittent	Not Classified	S	No	8	GP5
SPA-KDR-010	/ Unnamed Tributary to Dutton Hollow Creek	_	5.64	Perennial	CWF	N	No	8	GP5
SPA-KDR-011		ļ	5.68	Ephemeral	CWF	No	No	No	GP5
GWPA-KDR-005	Spring	<u> </u>	6.47	Intermittent	Not Classified	No	No	8	GP5
SPA-KDR-015	Unnamed Tributary to Butter Creek	<u> </u>	7.63	Ephemeral	HOCWF	No	No	Š	GP5
SPA-KDR-019	Unnamed Tributary to Butter Creek	C	8.56	Intermittent	HQ-CWF	No	No	S	GP5
SPA-KDR-019	Unnamed Tributary to Butter Creek		8.59	Intermittent	HQ-CWF	No	No	No	GP5
SPA-KDR-020	Butter Creek	ļ_	8.63	Perennial	HQ-CWF	No	No	No	GP5
SPA-KDR-021	Unnamed Tributary to Butter Creek	<u> </u>	8.71	Ephemeral	HQ-CWF	No	No	No	GP5
SPA-KDR-022	Unnamed Tributary to Butter Creek /	-	8.95	intermittent	HQ-CWF	Z o	<u>~</u>	8	GP5

Stream ID	Stream Name	Location	Stream Type	Stream Classification	Wild	Approved¹ Trout	EV Streams (yes/no)	Drainage Area > 1.0 sq. mile	WithIn FEMA Floodplain	Chapter 105/ GP Applicable
Access Roads										
SPA-KDR-016	Unnamed Tributary to Butter Creek	AR-2	Ephemeral	HQ-CWF	No No	No	N _O	No (0.30)	No	GP 7
SPA-KDR-017	Unnamed Tributary to Butter Creek	AR-2	Ephemeral	HQ-CWF	Š	Š	No	No (0.30)	Ύes	Chapter 105
SPA-KDR-018	Butter Creek	AR-2	Perennial	HQ-CWF	S	No	No	No (0.91)	Yes	Chapter 105
SPA-WJW-040	Butter Creek	AR-4	Perennial	HQ-CWF	₹	8	8	N/A	Yes	Chapter 105

Note:

The seasonal restriction of October 1 to December 31 will be adhered to for work within Wild Trout Waters. The limits are as provided in the stream tables as per J.R. Holtsmaster of the PFBC. One-quarter-mile limits were used in calculating tributaries carrying the designations. The seasonal restriction of March 1 to June 15 will be adhered to for work within Approved Trout Waters. The limits are as provided in the stream tables as per J.R. Holtsmaster of the PFBC. One-quarter-mile limits were used in calculating tributaries carrying the

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COVE POINT EXPANSION PROJECT TL-536 SECTION 5 DETERMINATION OF APPLICATION FEES POTTER COUNTY, PENNSYLVANIA, DOMINION TRANSMISSION, INC.

Table 5

Wetland ID	Location	NWI Classification	Isolated	EV Wetland (yes/no)	> 10 Acres	Chapter 105/ GP Applicable	EV Watershed Explanations
Pipeline ROW							
WPA-KDR-024	0.01	PEM/PFO	Yes	8	No	GP5	Not in floodplain
WPA-KDR-001	0.61	MEM	Yes	No	No	GP5	Not in floodplain
WPA-KDR-002	0.91	MUA	Yes	No.	S	GP5	Not in floodplain
WPA-KDR-003	. <u>.</u> .4.	₽ X	Yes	No	No.	GP5	Not in floodplain
WPA-KDR-004	2.12	PEM	No	No	No	GP5	In floodplain of Redwater Creek: CWF - nothing upstream
WPA-KDR-005	2.41	PEM/PFO/POW	S.	No	No	GP5	Appears to be associated with headwaters of Redwater Creek but not labeled on GIS file because it is not an identified GAI feature.
WPA-KDR-006	2.96	PEW	No	Yes	Yes	Chapter 105	Within a FEMA floodplain and part of a wetland 10 acres or more in size
WPA-KDR-007	3.12	PEM/POW	No	Yes	Yes	Chapter 105	Within a FEMA floodplain and part of a wetland 10 acres or more in size
WPA-KDR-008	3.46	PEM	Yes	No	No	GP5	Not in floodplain
WPA-KDR-009	3.72	M∃d	Yes	No	No	gP5	Not in floodplain (attched to NWI Wetland PFO1C) - no stream on USGS or identified by GAI
WPA-KDR-010	3.96	Pm S	Yes	No	₹	GP5	Not in floodplain
WPA-KDR-011	4.13	M∃d	Yes	No	No	GP5	Not in floodplain
WPA-KDR-012	4.77	PEM/PFO	No	No	No	GP5	In floodplain of tributary to Dutton Hollow Creek: CWF - nothing upstream
WPA-KDR-013	5.68	M∃d	No	No	No	GP5	In floodplain of tributary to Dutton Hollow Creek; CWF - nothing upstream
WPA-KDR-014	6.44	PEM/PFO	No	No	No	GP5	Spring part of labeled tributary of Honeoye Creek on USGS - CWF - nothing upstream
WPA-KDR-015	6.63	PEM	Yes	No	No	GP5	Not in floodplain
WPA-KDR-016	6,98	MEd	Yes	No	No	GP5	Not in floodplain
WPA-KDR-017	7.19	PEM	Yes	No	No	GP5	Not in floodplain
WPA-KDR-018	7.95	PEM	Yes	No	No	GP5	Not in floodplain
WPA-KDR-019	8.61	Mad	No	N _o	N _O	GP5	Wthin floodplain of Butter Creek: HQ/CWF
WPA-KDR-022	8.69	PEM	8	No	8	GP5	Tributary to Butter Creek: HQ/CWF
WPA-KDR-023	8.84	PEM/POW	Š	No	No	GP5	Not in floodplain
WSL-AES-002	State Line Station	Mad	No	No	No	GP5	Not in floodplain

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Table 5 (Continued)

Not in floodplain	GP8	No	No		Yes	PEM	Pipeyard	Pi	WPA-KDR-021
Not in floodplain	GP8	₹	No		Yes	PEM	Pipeyard	Pi	WPA-KDR-020
- THE PARTY OF THE									Pipeyards
EV Watershed Explanations	Chapter 105/GP Applicable	T&E Species Habitat (yes/no)	EV Wetland (yes/no)	EV Wetla	Isolated	NWI Classification	Location	Lo	Wetland ID
	**************************************	The state of the s		- West-West-Whitehalth	-				
Butter Creek: HQ-CWF	Chapter 105	S	No	Yes (0.12)	No	No	PSS/PEM	AR-4	WPA- WJW-061
		-		ė					Access Roads
Explanations	Applicable	Acres (yes/no)	(yes/no)	(yes/no)	(yes/no)	Isolated	Classification	Location	Wetland ID
TV Winter-Fact	Chapter 105/CD	Cumulative	-	Impact >.10 Acres	EV Wetland		N N		W

PNO8-33